

3:05CV282-3-V
(3:02CR227-1-V)

Respondent.

ORDER

In Petitioner's motion, he also asks this Court to appoint him counsel. There is no constitutional right to counsel in habeas proceedings such as the instant case. Crowe v. United States, 175 F.2d 799 (4th Cir. 1949), cert.denied, 338 U.S. 950 (1950). Furthermore, the Petitioner appears to be adequately representing himself. Consequently, Petitioner's Motion for Appointment

of Counsel is denied.

In his motion, Petitioner also requests an evidentiary hearing. To the extent the Court finds an evidentiary hearing to be appropriate, the Court will set such a hearing on its own motion.

Therefore, Petitioner's Motion for an Evidentiary Hearing is denied.

NOW THEREFORE IT IS ORDERED that:

1. Petitioner's Motion Directing the Government to Furnish him a copy of the Motion for Summary Judgment is Granted.
2. Petitioner's Motion For an Attorney is Denied.
3. Petitioner's Motion for an Evidentiary Hearing is Denied.

Signed: October 6, 2005

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Richard L. Voorhees

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge



